

## Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, 9 VAC 5-80-50 through 9 VAC 5-80-305, and 9 VAC 5-140-10 through 9 VAC 5-140-900 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Birchwood Power Partners, L.P.
Facility Name:	Birchwood Power Facility
Facility Location:	10900 Birchwood Drive King George, Virginia 22485
Registration Number:	40809
Permit Number:	FSO40809

12/1/2003  
Effective Date

12/1/2008  
Expiration Date

Robert G. Burnley  
Director, Department of Environmental Quality

July 1, 2005  
Signature Date

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## **I. Facility Information**

### **Permittee**

Birchwood Power Partners, L.P.  
10900 Birchwood Drive  
King George, Virginia 22485

### **Responsible Official**

Ms. Julia Caiafa  
Vice President on Behalf of GPSF Securities Inc.

### **Facility**

Birchwood Power Facility  
10900 Birchwood Drive  
King George, Virginia 22485

### **Contact person**

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**AFS Identification Number:** 51-099-0012

**Facility Description:** SIC Code 4931 - The Birchwood Power Facility consists of a pulverized bituminous coal-fired boiler which has a maximum rated heat input capacity of approximately 2,300 MMBtu per hour. The boiler's approved fuels are bituminous coal and landfill gas (lfg). No. 2 fuel oil may be used during start-ups, shutdowns and periods of flame instability. The steam generated by the boiler is directed through a steam turbine which drives an electric generator capable of producing about 240 megawatts (MW) net of electric power. After passing through the turbine, portions of the steam flow are sent to a local greenhouse for use in space heating.

To abate the release of pollutants to the atmosphere, a number of air pollution control devices have been installed. A selective catalytic reduction system with ammonia injection is employed to reduce nitrogen oxide emissions. A combination of low sulfur coal and a flue gas desulfurization system, consisting of a dry lime scrubber, controls the amount of sulfur dioxide emissions. A high efficiency fabric filter baghouse minimizes the amount of both filterable and inhalable particulate matter emissions to the atmosphere.

To support the operation of the boiler and its air pollution control devices, the facility is comprised of various auxiliary systems, including a coal handling system (delivery, stockpiling, crushing, conveying, and storing), an ammonia handling system (storage and delivery), a lime handling system (delivery, storage, and conveying), a flyash handling system (conveying and storage for off-site disposal) and a 200,000 gallon No. 2 fuel oil above ground storage tank.

## II. Emission Units

Equipment (other than "Insignificant Emission Units") to be operated consists of:

### A. Fuel Burning Equipment

Emission Unit ID	Stack ID	Emission Unit Description <sup>a</sup>	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date <sup>b</sup>
1	1	ABB-CE Systems pulverized coal, wet bottom, tangentially fired boiler (approved fuels are bituminous coal and landfill gas. No. 2 fuel oil is used during start-ups, shutdowns and periods of flame instability)	2300 MMBtu/hr	ABB-ES lime spray dryer	D1	SO <sub>2</sub>	8/23/93 (I) 2/16/94 (A) 3/17/94 (E) 11/27/95 (A) 7/19/96 (A) 7/7/00 (A) 08/10/01 (A) 4/22/05 (A)
1	1	same as above	same as above	ABB-CE Systems/Siemens-KWU selective catalytic reduction (SCR) system	D2	NO <sub>x</sub>	same as above
1	1	same as above	same as above	ABB-ES fabric filter baghouse	D3	PM PM <sub>10</sub> Lead HAPS <sup>c</sup>	same as above

Table Notes:

<sup>a</sup> Construction date for equipment sometime in and after 1994

<sup>b</sup> For permit date information, I = issued (original) date, A = Amendment date, E = effective date (as a result of final EPA Environmental Appeals Board Decision)

<sup>c</sup> The HAPs controlled by the fabric filter baghouse include metals (e.g., arsenic, chromium, etc.)

## B. Processing Operations

Emission Unit ID	Stack ID <sup>a</sup>	Emission Unit Description <sup>b</sup>	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date <sup>c</sup>
2	NA	Coal unloading via coal car tipping equipment and conveyors	2800 tons/hr	Dust suppression (Chemicals or Water)	D4	PM, PM <sub>10</sub>	8/23/93 (I) 2/16/94 (A) 3/17/94 (E) 11/27/95 (A) 7/19/96 (A) 7/7/00 (A) 08/10/01 (A) 4/22/05 (A)
3	NA	Coal pile drop via conveyors	2800 tons/hr	Dust suppression	D4	PM, PM <sub>10</sub>	same as above
4	NA	Coal storage piles	34,000 tons	Dust suppression	D4	PM, PM <sub>10</sub>	same as above
5	NA	Coal reclaiming via hoppers and covered conveyors	700 tons/hr	Fabric filter dust collectors (3) which vent to the reclaim tunnel	D5	PM, PM <sub>10</sub>	same as above
6	2	Coal crushing via crusher and covered conveyors	700 tons/hr	Fabric filter dust collector (1) which vents to the atmosphere	D6	PM, PM <sub>10</sub>	same as above
7	NA	Coal bunkers for inside coal storage	4,300 tons	Fabric filter dust collectors (2) which vent to the building	D7	PM, PM <sub>10</sub>	same as above
8	3	Flyash disposal system via covered conveyors and storage silo	19.2 tons/hr	Fabric filter dust collector which vents to the atmosphere	D8	PM, PM <sub>10</sub>	same as above
9	4	Lime handling system - lime silo fill & storage	2.4 tons/hr	Fabric filter dust collector which vents to the atmosphere	D9	PM, PM <sub>10</sub>	same as above

Table Notes:

<sup>a</sup> For "Stack ID" listed as NA or not applicable, any emissions are considered fugitive

<sup>b</sup> Construction date for equipment sometime in and after 1994

<sup>c</sup> For permit date information, I = issued (original) date, A = Amendment date, E = effective date (as a result of final EPA Environmental Appeals Board Decision)

### III. Fuel Burning Equipment Requirements - Emission Unit ID# 1 (Coal-Fired Boiler)

#### A. Limitations

1. Particulate matter (PM & PM<sub>10</sub>) emissions from the operation of the boiler shall be controlled by the use of a fabric filter baghouse system rated at 99.9 percent control efficiency. The baghouse system may be bypassed during No. 2 distillate fuel oil boiler start-ups and shutdowns. The baghouse may not be bypassed when coal and/or landfill gas (LFG) is being burned in the boiler except during start-ups. The baghouse system shall be provided with adequate access for inspection.  
(9 VAC 5-80-110 and Condition 3 of the 04/22/05 amended PSD Permit)
2. Sulfur dioxide (SO<sub>2</sub>) emissions from the operation of the boiler shall be controlled by a dry flue gas desulfurization (FGD) system consisting of a lime spray dryer system. The dry FGD system shall have a minimum control efficiency of 90.0 percent on a 30-day rolling average.

When combusting a combination of LFG and coal, the dry FGD system shall achieve the SO<sub>2</sub> emission limit in Condition A.11 and have a minimum SO<sub>2</sub> control efficiency of 80% on a thirty day rolling average.

Compliance with the control efficiency requirement is determined based on the average inlet and average outlet SO<sub>2</sub> emission rates for the 30 successive boiler operating days. For the purposes of this condition and as referenced elsewhere in this permit, a "boiler operating day" is defined as a 24-hour period between 12:00 midnight and the following 12:00 midnight during which any fuel is combusted at any time in the boiler. It is not necessary for fuel to be combusted continuously for the entire 24-hour period. The dry FGD system shall be in operation at all times when the boiler is firing coal and/or LFG except during boiler start-ups and shutdowns. The dry FGD system shall be provided with adequate access for inspection.  
(9 VAC 5-80-110, Condition 4 of the 04/22/05 amended PSD Permit, 40 CFR 60.43a (a), 40 CFR 60.43a (g), and 40 CFR 60.46a (g))

3. Nitrogen oxide (NO<sub>x</sub>) emissions from the operation of the boiler shall be controlled by combustion technology and a selective catalytic reduction (SCR) system with ammonia injection. The SCR system shall be operated to achieve a maximum NO<sub>x</sub> emission rate of 0.10 lbs/MMBtu boiler heat input on a 30-day rolling average. The SCR system shall be in operation at all times of boiler operation, except boiler start-ups and shutdowns. The SCR system shall be provided with adequate access for inspection when the boiler is shut down.  
(9 VAC 5-80-110 and Condition 5 of the 04/22/05 amended PSD Permit)
4. If the NO<sub>x</sub> emission rate exceeds 0.10 lbs/MMBtu boiler heat input on a 30-day rolling average, the permittee shall do one or more of the following, in order to achieve a maximum NO<sub>x</sub> emission level of 0.10 lbs/MMBtu boiler heat input on a 30-day rolling average:
  - a. Maintain the ammonia-to-NO<sub>x</sub> mole ratio at the design level provided that no detrimental effect on equipment downstream of the SCR system occurs.
  - b. Add catalyst as necessary, while not exceeding the limit of the SCR system design catalyst bed volume.
  - c. Replace catalyst as necessary, while not exceeding 50 percent of the SCR system design catalyst bed volume within each 3-year operating period for this facility.

If none of the above methods proves effective in achieving a maximum NO<sub>x</sub> emissions level of 0.10 lbs/MMBtu boiler heat input on a 30-day rolling average, then a NO<sub>x</sub> emissions level of 0.15 lbs/MMBtu boiler heat input on a 30-day rolling average must not be exceeded.  
(9 VAC 5-80-110 and Condition 6 of the 04/22/05 amended PSD Permit)

5. Boiler emissions of carbon monoxide and volatile organic compound emissions shall be controlled by combustion technology.  
(9 VAC 5-80-110 and Condition 7 of the 04/22/05 amended PSD Permit)
6. The approved fuels for the boiler are low sulfur bituminous coal and landfill gas (LFG). No. 2 distillate fuel oil may be used during boiler start-ups, shutdowns and periods of flame instability. Distillate fuel oil is defined as fuel oil meeting the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396-78 "Standard Specification for Fuel Oils". A change in the fuels may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 17 of the 04/22/05 amended PSD Permit)
7. The maximum sulfur content of the coal to be burned in the boiler shall not exceed 1.2 percent by weight per shipment and 1.0 percent on an annual average. "Shipment" is defined as a continuous, single delivery of fuels or blend of fuels from the same origin.  
(9 VAC 5-80-110 and Condition 18 of the 04/22/05 amended PSD Permit)
8. The maximum sulfur content of the No. 2 distillate fuel oil to be burned during boiler start-ups and shutdowns shall not exceed 0.30 percent by weight per shipment.  
(9 VAC 5-80-110 and Condition 19 of the 04/22/05 amended PSD Permit)
9. The boiler shall consume no more than 783,406 tons of coal per year, calculated as the sum of each consecutive twelve (12) month period.

The boiler shall consume no more than 5,098,320,000 of landfill gas (lfg) cubic feet per year, calculated monthly as the sum of each consecutive twelve month period.  
(VAC 5-80-110, and Condition 11 of the 04/22/05 amended PSD Permit)

10. Monthly emission rates generated from the boiler may be estimated using the following equations:

	FUEL EMISSION RATES (LB/MMBtu)		
	COAL	No. 2 distillate fuel oil	Landfill Gas
POLLUTANTS			
TSP	0.020	$1.4 \times 10^{-2}$	0.000082
PM10	0.018	$7.1 \times 10^{-3}$	0.000082
CO	0.20	0.036	0.0057
VOC	0.01	$1.4 \times 10^{-3}$	0.003
Pb	$8.95 \times 10^{-5}$	$6.4 \times 10^{-8}$	0.00
Chloride (as HCl)	$2.8 \times 10^{-4}$	$2.5 \times 10^{-3}$	0.00078
Fluoride (as HF)	$3.8 \times 10^{-4}$	$2.7 \times 10^{-4}$	0.00
*NO <sub>x</sub>	0.10/0.15	0.10/0.15	0.0165
*SO <sub>2</sub>	0.10	1.01S	0.015



$$\begin{aligned} \text{TSP}_{\text{tot}} &= (\text{HI}_{\text{tc}} \times \text{TSP lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{TSP lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{TSP lb/MMBtu}_{\text{lfg}}) \\ \text{PM}_{10} &= (\text{HI}_{\text{tc}} \times \text{PM}_{10} \text{ lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{PM}_{10} \text{ lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{PM}_{10} \text{ lb/MMBtu}_{\text{lfg}}) \\ \text{CO} &= (\text{HI}_{\text{tc}} \times \text{CO lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{CO lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{CO lb/MMBtu}_{\text{lfg}}) \\ \text{VOC} &= (\text{HI}_{\text{tc}} \times \text{VOC lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{VOC lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{VOC lb/MMBtu}_{\text{lfg}}) \\ \text{Pb} &= (\text{HI}_{\text{tc}} \times \text{Pb lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{Pb lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{Pb lb/MMBtu}_{\text{lfg}}) \\ \text{HCl} &= (\text{HI}_{\text{tc}} \times \text{HCl lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{HCl lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{HCl lb/MMBtu}_{\text{lfg}}) \\ \text{HF} &= (\text{HI}_{\text{tc}} \times \text{HF lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{HF lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{HF lb/MMBtu}_{\text{lfg}}) \\ * \text{NOx} &= (\text{HI}_{\text{tc}} \times \text{NOx lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{NOx lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{NOx lb/MMBtu}_{\text{lfg}}) \\ * \text{SO}_2 &= (\text{HI}_{\text{tc}} \times \text{SO}_2 \text{ lb/MMBtu}_{\text{coal}}) + (\text{HI}_{\text{to}} \times \text{SO}_2 \text{ lb/MMBtu}_{\text{oil}}) + (\text{HI}_{\text{tlf}} \times \text{SO}_2 \text{ lb/MMBtu}_{\text{lfg}} \times \text{Control Efficiency}^{**}) \end{aligned}$$

Where:

$\text{HI}_{\text{tc}}$  = Monthly Total Coal Heat Input, MMBtu/month

$\text{HI}_{\text{to}}$  = Monthly Total Oil Heat Input, MMBtu/month

$\text{HI}_{\text{tlf}}$  = Monthly Total Landfill Gas Heat Input, MMBtu/month

Note: The formulas are for inventorying each fuel only. The annual emission rates shall be calculated monthly as the sum of each consecutive twelve month period.

\*NOx and SO<sub>2</sub> emission rates are determined as in Conditions B3 and B2.

\*\*Control efficiency is defined in Condition A.2.

(9 VAC 5-80-1310, Condition 12 of the 04/22/05 amended PSD permit)

11. Emissions from the operation of the boiler shall not exceed the limits specified below:

Criteria Pollutants

PM	0.020 lbs/MMBtu	44.0 lbs/hr	192.7 tons/yr
PM <sub>10</sub>	0.018 lbs/MMBtu	39.6 lbs/hr	173.5 tons/yr
SO <sub>2</sub>	0.10 lbs/MMBtu	220.0 lbs/hr	963.6 tons/yr
NO <sub>x</sub>	0.15 lbs/MMBtu	330.0 lbs/hr	1445.4 tons/yr
CO	0.20 lbs/MMBtu	440.0 lbs/hr	1927.2 tons/yr
VOCs	0.01 lbs/MMBtu	22.0 lbs/hr	96.4 tons/yr
Lead	$8.95 \times 10^{-5}$ lbs/MMBtu	0.2 lbs/hr	0.9 tons/yr

Toxic Pollutants

Antimony	$1.8 \times 10^{-2}$ lbs/hr	$7.1 \times 10^{-3}$ tons/yr
Arsenic	$1.4 \times 10^{-1}$ lbs/hr	$1.6 \times 10^{-1}$ tons/yr
Beryllium	$2.0 \times 10^{-2}$ lbs/hr	$8.2 \times 10^{-3}$ tons/yr
Cadmium	$1.8 \times 10^{-2}$ lbs/hr	$2.0 \times 10^{-2}$ tons/yr
Chloride (as HCl gas)	$1.2 \times 10^0$ lbs/hr	$5.5 \times 10^0$ tons/yr
Chromium	$3.9 \times 10^{-1}$ lbs/hr	$1.3 \times 10^{-1}$ tons/yr
Cobalt	$1.0 \times 10^{-1}$ lbs/hr	$3.9 \times 10^{-2}$ tons/yr
Fluoride (as HF)	$1.8 \times 10^0$ lbs/hr	$7.5 \times 10^0$ tons/yr
Formaldehyde	$1.1 \times 10^{-1}$ lbs/hr	$9.4 \times 10^{-2}$ tons/yr

Manganese	$7.5 \times 10^{-1}$ lbs/hr	$1.9 \times 10^{-1}$ tons/yr
Mercury	$7.8 \times 10^{-3}$ lbs/hr	$3.3 \times 10^{-2}$ tons/yr
Nickel	$3.2 \times 10^{-1}$ lbs/hr	$1.1 \times 10^{-1}$ tons/yr
Polycyclic Organic Matter	$6.4 \times 10^{-3}$ lbs/hr	$2.3 \times 10^{-2}$ tons/yr
Selenium	$1.3 \times 10^0$ lbs/hr	$5.1 \times 10^{-1}$ tons/yr

**Emission Limit Notes:**

- 1 Compliance with the "lb/MMBtu" and "lb/hr" emission limits for sulfur dioxide and nitrogen oxides are each determined on a 30-day rolling average basis. Compliance is determined by calculating the arithmetic average of all hourly emission rates for SO<sub>2</sub> and NO<sub>x</sub> for the 30 successive boiler operating days, except for data obtained during start-up, shutdown, malfunction (NO<sub>x</sub> only), or emergency conditions (SO<sub>2</sub> only).
- 2 The "lb/MMBtu", "lb/hr" and "tons/yr" emission limits for nitrogen oxides in this condition do not supersede the requirements contained in Conditions A.3 and A.4 of this section for the facility to achieve maximum nitrogen oxides emissions of 0.10 lb/MMBtu, 220 lbs/hr (both on a 30-day rolling average) and 963.6 tons/yr. The higher values set in this permit condition represent worst-case nitrogen oxides emissions limits in the event of marginal performance or deterioration of the SCR system.
- 3 Lower volatile organic compound emission limits may be imposed by the DEQ, after in-stack testing.
- 4 The hourly emission limits set for the toxic pollutants are based on the higher emissions resulting from two different scenarios, namely, boiler start-up (coal and oil firing with no controls) and boiler operating at 100% load with full air pollution control equipment in operation at design specifications. Annual limits are based on boiler operating at 100% load with full air pollution control equipment in operation at design specifications. Compliance with the hourly and annual toxic pollutant emission limits will be based on meeting the coal throughput limit in Condition A.9 and required use of emissions control equipment specified in Conditions A.1 and A.2.

(9 VAC 5-80-110, Condition 13 of the 04/22/05 amended PSD Permit, 40 CFR 60.42a (a), 40 CFR 60.43a (a), 40 CFR 60.43a (g), 40 CFR 60.44a (a), 40 CFR 60.46a (a), 40 CFR 60.46a (b))

12. Visible emissions from the boiler stack shall not exceed ten percent (10%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed twenty percent (20%) opacity.  
(9 VAC 5-50-80, 40 CFR 60.42a (b), Condition 15 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
13. The particulate matter standards contained in this section's Conditions A.11 ("lb/MMBtu" and "lb/hr") and A.12 ("percent opacity") and the nitrogen oxides emission standards contained in Conditions A.3, A.4 and A.11 ("lb/MMBtu" and "lb/hr") of this section apply at all times except during periods of start-up, shutdown, or malfunction. The sulfur dioxide emission standards contained in Condition A.2 ("control efficiency") and Condition A.11 ("lb/MMBtu" and "lb/hr") of this section apply at all times except during periods of start-up, shutdown, or when both emergency conditions (defined in 40 CFR 60.41a) exist and the procedures under Condition A.14 of this section are implemented.  
(9 VAC 5-50-20, 40 CFR 60.46a (c), and 9 VAC 5-80-110)
14. During emergency conditions in the principal company, an affected facility with a malfunctioning flue gas desulfurization system may be operated if sulfur dioxide emissions are minimized by:
  - a. Operating all operable flue gas desulfurization system modules, and bringing back into operation any malfunctioned module as soon as repairs are completed,

- b. Bypassing flue gases around only those flue gas desulfurization system modules that have been taken out of operation because they were incapable of any sulfur dioxide emission reduction or which would have suffered significant physical damage if they had remained in operation, and
- c. Designing, constructing, and operating a spare flue gas desulfurization system module for an affected facility larger than 365 MW (1,250 MMBtu/hr) heat input (approximately 125 MW electrical output capacity). (40 CFR 60.46a (d)(3) details spare module capability demonstration criteria if such demonstration is required by the Administrator.)

(40 CFR 60.46a (d) and 9 VAC 5-80-110)

## **B. Monitoring**

- 1. The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the opacity of emissions discharged from the boiler to the atmosphere.  
(40 CFR 60.47a (a), Condition 21 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
- 2. The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring sulfur dioxide (SO<sub>2</sub>) emissions as follows:
  - a. Sulfur dioxide emissions are monitored at both the inlet and outlet of the sulfur dioxide control device.
  - b. An "as fired" fuel monitoring system (upstream of coal pulverizers) meeting the requirements of Method 19 (40 CFR 60, Appendix A) may be used to determine potential sulfur dioxide emissions in place of a continuous sulfur dioxide emission monitor at the inlet to the sulfur dioxide control device as required in Condition B.2.a of this section.

(40 CFR 60.47a (b), Condition 23 of the 04/22/05 amended PSD permit, and 9 VAC 5-80-110)

- 3. The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring nitrogen oxides (NO<sub>x</sub>) emissions discharged from the boiler to the atmosphere.  
(40 CFR 60.47a (c), Condition 22 of the 04/22/05 amended PSD permit, and 9 VAC 5-80-110)
- 4. The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the oxygen or carbon dioxide content of the flue gases at the stack and upstream of the scrubber where sulfur dioxide or nitrogen oxides emissions are monitored.  
(40 CFR 60.47a (d), Conditions 22 and 23 of the 04/22/05 amended PSD permit, and 9 VAC 5-80-110)
- 5. The permittee shall install, calibrate, maintain, and operate a continuous monitoring system, and record the output of the system, for measuring the volumetric flow rate of the boiler exhaust gas.  
(Condition 20 of the 04/22/05 amended PSD permit and 9 VAC 5-80-110)
- 6. All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the boiler are obtained.

Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of 40 CFR 60, Appendix B shall be used.  
(40 CFR 60.13 (f) and 9 VAC 5-80-110)

7. The continuous opacity monitoring system required by Condition B.1 of this section shall be subject to the applicable provisions of 40 CFR 60.13. A quality assurance program, as approved by the Department of Environmental Quality (DEQ), shall be established and implemented for this monitoring system. The opacity monitoring system shall be subject to the applicable provisions of 40 CFR 60.13 (b), (d), (e), (f), and (h).  
(40 CFR 60.13 (a), Conditions 21 and 26 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
8. The continuous monitoring systems required by Conditions B.2, B.3, and B.4 of this section shall be subject to the applicable provisions of 40 CFR 60.13 (b), (d), (e), (f) and (h) and 40 CFR 60 Appendix F, Quality Assurance Procedures.  
(40 CFR 60.13 (a), Conditions 21 and 26 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
9. The continuous monitoring systems under Conditions B.1, B.2, B.3, B.4 and B.5 of this section shall be operated and data recorded during all periods of boiler operation including periods of start-up, shutdown, malfunction or emergency conditions, except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments. The continuous monitoring systems shall meet the minimum frequency of operation requirements as follows:
  - a. The continuous opacity monitoring system shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period. This cycle of sampling, analyzing, and recording shall be considered a data point for the continuous opacity monitoring system.
  - b. The continuous monitoring systems, other than the continuous opacity monitoring system, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. This cycle of sampling, analyzing, and recording shall be considered a data point for all continuous monitoring systems other than the continuous opacity monitoring system.

(40 CFR 60.47a (e), 40 CFR 60.13 (e) and 9 VAC 5-80-110)
10. The continuous opacity monitoring system shall reduce all data to 6-minute averages. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. The NO<sub>x</sub> and SO<sub>2</sub> 1-hour averages shall be expressed in lbs/MMBtu boiler heat input and shall be used to calculate the average emission rates under 40 CFR 60.46a (g). These 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this Condition.  
(40 CFR 60. 47a (g), 40 CFR 60.13 (h) and 9 VAC 5-80-110)
11. The continuous monitoring systems under Conditions B.1, B.2, B.3, and B.4 of this section shall obtain valid data for no less than 90 percent of the boiler operating hours in each calendar quarter, and shall obtain valid data for no less than 75 percent of the operating hours in 22 of

every 30 successive boiler operating days. If this data requirement from the continuous monitoring systems under Conditions B.2, B.3, and B.4 cannot be met with the existing monitoring systems then the permittee shall use the reference methods and procedures as specified in 40 CFR 60.47a (h) or (j) or as approved by the DEQ.  
(40 CFR 60.47a (f), Condition 26 of the 04/22/05 of amended PSD Permit and 9 VAC 5-80-110)

12. For the continuous monitoring systems under Conditions B.1, B.2, B.3, and B.4 of this section, the permittee shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span shall, as a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits of the applicable performance specifications in 40 CFR 60 Appendix B. The continuous monitoring systems must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified. For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments except that for systems using automatic zero adjustments. The optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity. For the continuous opacity monitoring system, minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and photo detector assembly.  
(40 CFR 60.13 (d) and 9 VAC 5-80-110)
13. For the continuous flow monitoring system under Condition B.5 of this section, the permittee shall check the zero and span calibration drifts at least once daily in accordance with the manufacturer's recommendation. The zero and span shall at a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds the manufacturer's recommended drift. The continuous flow monitoring system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified.  
(40 CFR 60.13 (d) and 9 VAC 5-80-110)
14. The span value for the continuous opacity monitoring system shall be between 60 and 80 percent. The span value for the nitrogen oxides continuous monitoring system shall be 200 ppm. The span value for the sulfur dioxide continuous monitoring system at the inlet to the sulfur dioxide control device shall be 125 percent of the maximum estimated hourly potential emissions of the fuel fired, and the outlet of the sulfur dioxide control device shall be 200 ppm.  
(40 CFR 60. 47a (i), DEQ letter dated July 31, 1996, EPA letter dated July 24, 1996 and 9 VAC 5-80-110)
15. The fabric filter baghouse (PCID# D3) shall be equipped with a device(s) to continuously measure the pressure drop across the fabric filter baghouse.  
(Condition 3 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
16. The permittee shall monitor the fabric filter baghouse (PCID# D3) at the control room video terminal. Electronic monitoring shall include opacity, and the pressure drop across the fabric filter baghouse. If the monitoring system detects above normal opacity or above normal pressure drop, corrective action shall be taken.  
(9 VAC 5-80-110)

17. The SCR system (PCID# D2) shall be equipped with a device to continuously monitor and record the amount of ammonia injected in the boiler exhaust gas stream. The device shall be maintained and calibrated by the permittee such that it is in proper working order at all times. (Condition 5 of the 04/22/05 amended PSD permit and 9 VAC 5-80-110)
18. The permittee shall install and maintain instrumentation necessary to determine compliance during on-site inspection by agency personnel. This instrumentation should indicate and record the following, at minimum:
  - a. The hourly heat input of the boiler in MMBtu/hour,
  - b. The 30-day rolling average SO<sub>2</sub> emission rate, in lbs/MMBtu and lbs/hr, on a daily basis,
  - c. The 30-day rolling average SO<sub>2</sub> removal rate, expressed as a percent, on a daily basis, and
  - d. The 30-day rolling average NO<sub>x</sub> emissions rate in lbs/MMBtu and lbs/hr, on a daily basis.(Condition 24 of the 04/22/05 amended PSD permit and 9 VAC 5-80-110)
19. The permittee shall obtain a certification from the coal supplier with each shipment of coal. Each fuel supplier certification shall include the following:
  - a. The name of the fuel supplier,
  - b. The date on which the coal was received,
  - c. The amount of coal delivered in the shipment,
  - d. The ash content of the coal, and
  - e. The sulfur content of the coal from a proximate analysis.(Condition 18 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
20. The permittee shall either sample and analyze the No. 2 fuel oil tank(s) to determine sulfur content by weight immediately after each shipment is added to the tank(s) or obtain a certification from the fuel supplier, including sampling and analysis representative of each shipment of No. 2 fuel oil. Each sampling/analysis or fuel supplier certification shall include the following:
  - a. The name of the fuel supplier,
  - b. The date on which the oil was received,
  - c. The volume of No. 2 fuel oil delivered in the shipment,
  - d. The sulfur content of the oil,
  - e. Documentation of sampling of the oil indicating the location of the oil when the sample was drawn, and

- f. The method used to determine the sulfur content of the oil.

(Condition 19 of 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

21. The permittee shall install, calibrate, maintain, and operate a device and/or system to measure and record the landfill gas consumption by the boiler.

(Condition 34 of the 04/22/05 amended PSD permit and 9 VAC 5-80-110)

22. The boiler shall be equipped with a system that will discontinue the flow of LFG to the boiler when the boiler is not in operation.

(Condition 20 of the 04/22/05 amended PSD permit and 9 VAC 5-80-110)

23. As a component of the periodic monitoring plan, once every other year (biannually) during the five year term of this Title V permit, the permittee shall conduct stack emission tests for VOC, CO, and PM<sub>10</sub> to ensure compliance with the emission limits stated in Condition III.A.11. These tests shall take place within one year of the initial issuance of this Title V permit. The details of the emission test are to be arranged with the Air Compliance Manager of the Fredericksburg Satellite Office (FSO). The permittee shall submit to the Air Compliance Manager of the FSO a protocol 30 days prior to the test date.

(9 VAC 5-80-110 E)

### **C. Recordkeeping**

1. The continuous monitoring data generated by the continuous opacity monitoring system may, at the discretion of the DEQ, be used as evidence of violation of the applicable emission standards. This data shall be kept on file and made available to agency personnel upon request.

(Condition 25 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

2. For sulfur dioxide and nitrogen oxide emissions, the permittee shall maintain the following information:

- a. The average sulfur dioxide and nitrogen oxide emission rates (lbs/million Btu) for each 30 successive boiler operating days, reasons for non-compliance with the emission standards, and description of corrective actions taken.
- b. The percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days, reasons for non-compliance with the standard, and description of corrective actions taken.
- c. Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 75 percent of the hours of operation, justification for not obtaining sufficient data, and description of corrective action taken.
- d. Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction (NO<sub>x</sub> only), emergency conditions (SO<sub>2</sub> only), or other reasons, and justification for excluding data for reasons other than startup, shutdown, malfunction, or emergency conditions.

- e. Identification of the "F" - factor used for calculations, method of determination, and type of fuel combusted.

- f. Identification of times when hourly averages have been obtained based on manual sampling methods.
- g. Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.
- h. Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.

(Conditions 22 & 23 of the 04/22/05 amended PSD Permit, 40 CFR 60.49a (b) and 9 VAC 5-80-110)

- 3. The permittee shall maintain all data (reduced to hourly averages) recorded by the continuous monitoring system for measuring the volumetric flow rate of the boiler exhaust gas.  
(9 VAC 5-80-110 F)
- 4. If the minimum quantity of data as required by Condition B.12 of this section cannot be met with a continuous monitoring system, but supplemental data in accordance with Condition B.12 of this section is used to meet the minimum quantity of data, the permittee shall maintain records of this data and the methods used to obtain such data.  
(Conditions 22 & 23 of the 04/22/05 amended PSD Permit, 40 CFR 60.49a (g) and 9 VAC 5-80-110)
- 5. The permittee shall maintain the following information, if the minimum quantity of emission data as required by Condition B.12 of this section is not obtained for any 30 successive boiler operating days:
  - a. The number of hourly averages available for outlet emission rates ( $n_o$ ) and inlet emission rates ( $n_i$ ) as applicable.
  - b. The standard deviation of hourly averages for outlet emission rates ( $s_o$ ) and inlet emission rates ( $s_i$ ) as applicable.
  - c. The lower confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the upper confidence limit for the mean inlet emission rate ( $E_i^*$ ) as applicable.
  - d. The applicable potential combustion concentration.
  - e. The ratio of the upper confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the allowable emission rate ( $E_{std}$ ) as applicable.

(Conditions 22 & 23 of the 04/22/05 amended PSD Permit, 40 CFR 60.49a (c & g) and 9 VAC 5-80-110)

- 6. If any sulfur dioxide standards under Conditions A.2 and A.11 of this section are exceeded during emergency conditions because of control system malfunction, the permittee shall maintain records which:
  - a. Indicate if emergency conditions existed and requirements under 40 CFR 60.46a (d) were met during each period, and



b. List the following information:

- i. Time periods the emergency condition existed.
- ii. Electrical output and demand on the owner or operator's electric utility system and the affected facility.
- iii. Amount of power purchased from interconnected neighboring utility companies during the emergency period.
- iv. Percent reduction in emissions.
- v. Atmospheric emission rate (lb/MMBtu) of the pollutant discharged.
- vi. Actions taken to correct control system malfunction.

(Conditions 22 & 23 of the 04/22/05 amended PSD Permit, 40 CFR 60.49a (d) and 9 VAC 5-80-110)

7. For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the permittee shall maintain records indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

(Conditions 22 & 23 of the 04/22/05 amended PSD Permit, 40 CFR 60.49a (f) and 9 VAC 5-80-110)

8. The permittee shall maintain a file in a permanent form suitable for inspection of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements, all continuous monitoring system performance evaluations, all continuous monitoring system or monitoring device calibration, span and drift checks, other required and non-required periodic audits, adjustments and maintenance performed on these systems or devices. The measurements shall be retained for a minimum of five years.

(Conditions 22 & 23 of the 04/22/05 amended PSD Permit, 40 CFR 60.7 (f), 40 CFR 60.49a (g) and 9 VAC 5-80-110)

9. The permittee shall maintain a file in a permanent form suitable for inspection of all records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the boiler, any malfunction of the air pollution control equipment and any periods during which a continuous monitoring system or monitoring device is inoperative.

(40 CFR 60.7 (b) and 9 VAC 5-80-110 F)

10. The permittee shall maintain the following records regarding proper operation and maintenance of the boiler:

- a. On a daily basis, retain electronic files of the stack opacity and baghouse pressure drop, and record any corrective action taken to correct an opacity excursion.

All records required by this condition shall be kept on site and made available for inspection by the DEQ.

(9 VAC 5-80-110)

11. The permittee shall maintain records of each replacement or addition of catalyst in the SCR system. In addition, the permittee shall maintain records of the amount of ammonia injected in the boiler exhaust stream in terms of pounds per hour.

(Condition 34 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

12. The permittee shall maintain records of the data measured by instrumentation required by Condition B.18 of this section.  
(Condition 24 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
13. The permittee shall maintain records of fuel supplier certifications for each shipment of coal and oil (or alternatively for oil, results of the sampling and analysis), containing the information in Conditions B.18 and B.19 of this section, respectively.  
(Conditions 18 and 19 of 04/22/05 of amended PSD permit and 9 VAC 5-80-110)
14. The permittee shall maintain records of the monthly and annual throughput of coal (in tons), LFG (in scf) and oil (in gallons) for the boiler. The annual throughput of each fuel shall be calculated as the sum of each consecutive twelve (12) month period.  
(9 VAC 5-80-110)
15. The permittee shall maintain records of all performance testing that is required by this permit.  
(9 VAC 5-80-110)
16. The permittee shall maintain the records required by Conditions C.1 through C.15 of this section. The content and format of the records shall be arranged with the DEQ's, Fredericksburg Satellite Office. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.  
(Condition 35 of the 04/22/05 of amended PSD Permit and 9 VAC 5-80-110 F)

#### D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the DEQ, test ports will be provided at the appropriate locations. Upon request from the DEQ, the permittee shall conduct performance tests in accordance with DEQ approved procedures. The permittee shall provide safe sampling platforms, safe access to sampling platforms, and utilities for sampling and testing equipment. Performance tests shall be conducted under such conditions that are representative of the performance of the affected facility. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test.  
(40 CFR 60.8 (c & e), Condition 29 of the 04/22/05 of amended PSD Permit, 9 VAC 5-50-30 and 9 VAC 5-80-110)
2. The permittee shall conduct continuous monitoring system performance evaluations upon request from the DEQ.  
(40 CFR 60.13 (c), 9 VAC 5-50-40, and 9 VAC 5-80-110)
3. If testing is conducted in addition to the monitoring and testing specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows on the next page:

Pollutant	Test Method (40 CFR Part 60, Appendix A, unless specified otherwise)
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Pollutant	Test Method (40 CFR Part 60, Appendix A, unless specified otherwise)
VOC	EPA Methods 25, 25a, 25b
Specific Gaseous Organic Compounds	EPA Method 18
NOx	EPA Methods 7, 19
SO <sub>2</sub> , SO <sub>2</sub> Removal Efficiency	EPA Methods 6, 19
CO	EPA Method 10
PM/PM10	EPA Methods 5, 17, 19 EPA Methods 201, 201A (40 CFR 51, Appendix M)
Visible Emissions	EPA Method 9
Mercury	SW-846-M0011 (or as may be approved by the DEQ)
Toxic Particulate Matter (Metals)	EPA Method

(9 VAC 5-80-110)

#### E. Reporting

1. The permittee shall submit calendar quarterly reports containing information specified herein to the DEQ's FSO, postmarked by the 30th day following the end of each calendar quarter. Each quarterly report shall contain, at a minimum, the dates included in the calendar quarter and the following information:
  - a. Summary of the fuel supplier certifications for each shipment of coal received during the calendar quarter, containing the information in Condition B.18 of this section.
  - b. Summary of fuel supplier certifications or results of fuel sampling and analysis for each shipment of No. 2 distillate fuel oil received during the calendar quarter, containing the information in Condition B.19 of this section. Additionally, the permittee shall submit a signed statement certifying that the reported shipments of No. 2 distillate fuel oil received are representative of all of the No. 2 fuel oil burned at the facility. If no shipments of No. 2 distillate fuel oil was received during the calendar quarter, the quarterly report shall include a statement that no oil was received during the calendar quarter.
  - c. For sulfur dioxide and nitrogen oxides, the following information is reported for each boiler operating day:
    - i. Calendar date
    - ii. The average sulfur dioxide and nitrogen oxide emission rates (lb/MMBtu) for each 30-day period in the quarter, reasons for non-compliance with the emissions standards, and description of corrective actions taken.
    - iii. The percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days ending with the last 30-day period in the quarter, reasons for non-compliance with the standard, and description of corrective

actions taken.

- iv. Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 75 percent of the hours of operation, justification for not obtaining sufficient data, and description of corrective actions taken.
  - v. Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction ( $\text{NO}_x$  only), emergency conditions ( $\text{SO}_2$  only), or other reasons, and justification for excluding data for reasons other than startup, shutdown, malfunction, or emergency conditions.
  - vi. Identification of the "F" - factor used for calculations, method of determination, and type of fuel combusted.
  - vii. Identification of times when hourly averages have been obtained based on manual sampling methods.
  - viii. Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.
  - ix. Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.
- d. If the minimum quantity of emission data as required by Condition B.10 of this section is not obtained for any 30 successive boiler operating days, the following information is reported for that 30-day period:
- i. The number of hourly averages available for outlet emission rates ( $n_o$ ) and inlet emission rates ( $n_i$ ) as applicable.
  - ii. The standard deviation of hourly averages for outlet emission rates ( $s_o$ ) and inlet emission rates ( $s_i$ ) as applicable.
  - iii. The lower confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the upper confidence limit for the mean inlet emission rate ( $E_i^*$ ) as applicable.
  - iv. The applicable potential combustion concentration.
  - v. The ratio of the upper confidence limit for the mean outlet emission rate ( $E_o^*$ ) and the allowable emission rate ( $E_{\text{std}}$ ) as applicable.
  - vi. Whether or not unavoidable errors were cause for not meeting minimum data requirements.
- e. If any sulfur dioxide standards under Conditions A.2 and A.11 of this section are exceeded during emergency conditions because of control system malfunction, the permittee shall submit a signed statement:
- i. Indicating if emergency conditions existed and requirements under 40 CFR60.46a (d)

were met during each period, and

- ii. Listing the following information:
  - (1) Time periods the emergency condition existed.
  - (2) Electrical output and demand on the owner or operator's electric utility system and the affected facility.
  - (3) Amount of power purchased from interconnected neighboring utility companies during the emergency period.
  - (4) Percent reduction in emissions.
  - (5) Atmospheric emission rate (lb/million Btu) of the pollutant discharged.
  - (6) Actions taken to correct control system malfunction.
- f. For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.
- g. The permittee shall submit a signed statement indicating whether:
  - i. The required continuous monitoring system calibration, span, and drift checks or other periodic audits have or have not been performed as specified.
  - ii. The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this permit and is representative of plant performance.
  - iii. The minimum data requirements have or have not been met, or the minimum data requirements have not been met for errors that were unavoidable.
  - iv. Compliance with the standards has or has not been achieved during the reporting period.
- h. For the sulfur dioxide, nitrogen oxides and opacity continuous monitoring systems, compliance status for obtaining valid data for no less than 90 percent of boiler operating hours in each calendar quarter.
- i. For the opacity monitoring system, the quarterly report shall include excess emission and monitoring system downtime reports and/or summaries in accordance with 40 CFR 60.7 (c & d). Excess opacity emissions are defined as all six-minute periods for which the average opacity exceeds the operational limit specified in Condition A.12 of this section, excluding periods of start-up, shutdown and malfunction.
- j. For the SCR system operations, the quarterly report shall include each replacement or addition of SCR catalyst and a summary of ammonia injection rates (hourly averages).
- k. Yearly fuel throughputs for each fuel, calculated monthly as the sum of each consecutive twelve month period.

(40 CFR 60.7 (c & d), 40 CFR 60.49a (b through i), Conditions 18, 19 and 34 of the 04/22/05 of amended PSD Permit and 9 VAC 5-80-110)

2. Notification for Control Equipment Maintenance - The permittee shall furnish notification to the Air Compliance Manager of the FSO of the DEQ of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which may result in excess emissions for more than one hour, at least twenty-four hours prior to the shutdown. The notification shall include, but is not limited to, the following information:
    - a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
    - b. The expected length of time that the air pollution control equipment will be out of service;
    - c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;
    - d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.
- (9 VAC 5-20-180 B and Condition 32 of the 04/22/05 amended PSD permit)
3. The permittee shall submit the information required under the CAM rule as part of the application for the renewal of this permit  
(40 CFR 64 and 9 VAC 5-80-110)

#### **IV. Process Equipment Requirements - Emission Units ID#'s 2, 3, 4, 5, 6, 7, 8 and 9**

##### **A. Limitations**

1. Particulate matter (PM and PM<sub>10</sub>) emissions from coal handling operations shall be controlled as follows:
  - a. Rail car unloading and coal transfer operations to the coal storage pile shall be controlled by wet suppression or a DEQ approved chemical suppression applied at the coal unloading building and tunnel beneath the building;
  - b. All coal conveyor belts shall be equipped with hoods, or located in tunnels or buildings that serve as total enclosures;
  - c. Wet suppression or chemical suppression shall be applied to the active and reserve coal storage piles as necessary to minimize emissions. In addition, unloading of coal to the storage piles shall be via a radial stacker;
  - d. Coal transfer points (e.g., belt conveyor to belt conveyor coal transfer) shall be equipped with a total enclosure, or located inside buildings that serve as total enclosures;
  - e. Coal bins located beneath the coal storage piles shall be equipped with three (3) fabric filters that vent to the reclamation tunnel;
  - f. The coal crusher shall be equipped with a fabric filter that vents to the atmosphere, and

located in a building that serves as a total enclosure; and

- g. The tripper deck (i.e., equipment used to transfer coal from the conveyor belt to the boiler coal storage bunkers) shall be equipped with a fabric filter that vents inside the tripper deck room, and located in a building that serves as a total enclosure.

The fabric filters, conveyor hoods, total enclosures, and wet/chemical suppression systems shall be maintained and operated as required to control particulate matter emissions at all times. The fabric filters, conveyor hoods, total enclosures, and wet suppression systems shall be provided with adequate access for inspection.

(Condition 8 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

2. Particulate matter (PM and PM<sub>10</sub>) emissions from the material transfer operations to the lime storage silo and the flyash storage silo shall be controlled by fabric filters. The fabric filters shall be provided with adequate access for inspection.  
(Condition 9 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
3. Visible emissions from all fabric filters that vent to the atmosphere required in Conditions A.1 and A.2 of this section shall not exceed five (5) percent opacity. Visible emissions for all other discharge points into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal shall not exceed twenty (20) percent opacity.  
(40 CFR 60.252 (c), Condition 16 of the 04/22/05 amended PSD Permit, 9 VAC 5-50-80 and 9 VAC 5-80-110)

## **B. Monitoring and Recordkeeping**

1. All emissions units in Conditions A.1 through A.3 of this section shall be observed visually, during operation for all conveyors, transfer points and crushers, and during operation or shut down for the coal piles, at least once each calendar week for at least a brief time period to determine which operating emissions units have any visible emissions (does not include condensed water vapor/steam). During each emission check, and at any other time, each emissions unit having any "visible emissions" shall be evaluated for the source of the problem and correction of the visible emission condition shall be made. A record of the date, time, observer, cause, and corrective measures taken shall be made. If no visible emissions were observed, a record of the date, time, and observer shall be made. These records shall be maintained on site for at least five years.  
(9 VAC 5-80-110)

## **C. Testing**

1. If testing is conducted in addition to the monitoring and testing specified in this permit, the permittee shall use 40 CFR Part 60 Appendix A, Method 9 in accordance with procedures approved by the DEQ.  
(9 VAC 5-80-110)

## **V. Facility Wide Conditions**

**A. Limitations**

1. Fugitive dust emissions from frequently traveled facility access roads shall be controlled by paving. Fugitive dust emissions from all paved facility roads shall be controlled through frequent sweeping or roadway washing. Fugitive dust emissions from unpaved roads shall be controlled by wet suppression or approved alternatives as necessary. If operating mechanical sweepers, water shall be used to suppress dust during sweeper operation. Material spilled or tracked onto paved surfaces shall be promptly removed to prevent dust from becoming airborne.  
(Condition 10 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)
2. The permittee shall maintain a physical barrier at the facility to prevent public access.  
(Condition 30 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

**B. Monitoring and Recordkeeping**

1. The permittee shall develop, maintain, and have available to all operators good written operating procedures for all air pollution control equipment and control methods. A maintenance schedule for all such equipment shall be established and made available to the DEQ's FSO for review. Records of service and maintenance shall be maintained on file by the permittee for the most current five year period.  
(Condition 38 of the 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

**VI. Insignificant Emission Units**



The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation <sup>1</sup> (9 VAC _)	Pollutant(s) Emitted (5-80-720 B)	Rated Capacity (5-80-720 C)
12	200,000-gallon No. 2 Distillate Fuel Oil Aboveground Storage Tank (AST)	5-80-720 B	VOCs	N/A
13	No. 2 Diesel Fuel Emergency Fire Pump Engine	5-80-720C	N/A	305 Horsepower
14	No. 2 Diesel Fuel Emergency Generator Engine	5-80-720C	N/A	685 Horsepower
15	Parts Cleaner	5-80-720 B	VOCs	N/A
18	Oil/Water Separator	5-80-720 B	VOCs	N/A
19	10,000-gallon Lubricating Oil AST	5-80-720 B	VOCs	N/A
20	10,000-gallon Used Lubricating Oil AST	5-80-720 B	VOCs	N/A
21	500-gallon Diesel Generator AST	5-80-720 B	VOCs	N/A
22	5,000-gallon Diesel Fuel AST	5-80-720 B	VOCs	N/A
23 & 24	Two (2) 500-gallon waste oil ASTs	5-80-720C	N/A	500-gallons each
25	500-gallon Diesel Fuel AST (Fire Protection)	5-80-720 B	VOCs	N/A
26	500-gallon gasoline tank	5-80-720 B	VOCs	N/A
27	500-gallon kerosene tank	5-80-720 B	VOCs	N/A

It is requested that the facility's gasoline and kerosene tanks be added to the list of insignificant emissions units. Also, the new and used lubrication oil tanks are 10,000 gallons each.

<sup>1</sup> The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed named insignificant activity, not required to be listed in permit application

9 VAC 5-80-720 B - Insignificant due to emissions levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these

emission units in accordance with 9 VAC 5-80-110, other than the following:

**A. Recordkeeping**

1. The permittee shall keep readily accessible records showing the dimension of the 200,000-gallon No. 2 Distillate Fuel Oil Aboveground Storage Tank (AST) (Insignificant Emission Unit No. 12) and an analysis showing the capacity of the storage vessel. These records shall be kept on site for the life of the source.  
(40 CFR 60.116b (a & b), Condition 27 of 04/22/05 amended PSD Permit and 9 VAC 5-80-110)

**VII. Permit Shield & Inapplicable Requirements**

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements, which have been specifically identified, as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Inapplicability
40 CFR 55	Outer Continental Shelf Air Regulations	Facility not located in an area subject to the regulation.
40 CFR 57	Primary nonferrous smelter orders	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart A	General Requirements	Facility does not contain equipment subject to a New Source Performance Standard.
40 CFR 60, Subpart B	Adoption of State Plans	Regulation does not contain any source specific requirements.
40 CFR 60, Subpart C	Emission Guidelines	Facility does not contain equipment subject to an Emission Guideline.
40 CFR 60, Subpart D	Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	Any facility covered under Subpart Da is not covered under Subpart D
40 CFR 60, Subpart Db	NSPS for Industrial-Commercial Institutional Steam Generating Units	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Dc	NSPS for Small Industrial-Commercial Institutional Steam Generating Units	Cleaver Brooks boilers (10.43 MMBtu/hr. each) were constructed prior to June 9, 1989 and are therefore exempt.
40 CFR 60, Subpart E	NSPS for Incinerators	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Ea	NSPS for Municipal Waste Incinerators	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Eb	NSPS for Municipal Waste Incinerators	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart F	NSPS for Portland Cement Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart G	NSPS for Nitric Acid Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart H	NSPS for Sulfuric Acid Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart I	NSPS for Asphalt Concrete Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart J	NSPS for Petroleum Refineries	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart K	NSPS for Storage Vessels for Petroleum Liquids	Facility does not contain emissions unit or belong to source category to which this regulation applies (all fuel storage tanks less than 40,000 gallons).

Citation	Title of Citation	Description of Inapplicability
40 CFR 60, Subpart Ka	NSPS for Storage Vessels for Petroleum Liquids	Facility does not contain emissions unit or belong to source category to which this regulation applies (all fuel storage tanks less than 40,000 gallons).
40 CFR 60, Subpart Kb (Provisions Except as Specified in Paragraphs (a) and (b) of § 60.116b)	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	Liquid stored in 200,000-gallon AST has a maximum true vapor pressure less than 3.5 kPa
40 CFR 60, Subpart L	NSPS for Secondary Lead Smelters	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart M	NSPS for Secondary Brass and Bronze Ingot Production Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart N	NSPS for Primary Emissions from Basic Oxygen Process Steel Making Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Na	NSPS for Primary Emissions from Basic Oxygen Process Steel Making Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart O	NSPS for Sewage Treatment Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart P	NSPS for Primary Copper Smelters	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart Q	NSPS for Primary Zinc Smelters	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart R	NSPS for Primary Lead Smelters	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart S	NSPS for Primary Aluminum Reduction	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart T	NSPS for the Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	Facility does not belong to source category to which this regulation applies.
40 CFR 60, Subpart U	NSPS for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart V	NSPS for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart W	NSPS for the Phosphate Fertilizer Industry: Triple Superphosphate Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart X	NSPS for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.

Citation	Title of Citation	Description of Inapplicability
40 CFR 60, Subpart Y	NSPS for Coal Preparation Plants	According to DEQ Air Division Policy Statement No. 2-96 dated April 22, 1996, a coal preparation plant must have a thermal dryer to be subject to this regulation. The facility does not contain a coal thermal dryer and is therefore exempt from the regulation.
40 CFR 60, Subpart Z	NSPS for Ferroalloy Production Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart AA	NSPS for Steel Plants: Electric Arc Furnaces	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart AAa	NSPS for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart BB	NSPS for Kraft Pulp Mills	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart CC	NSPS for Glass Manufacturing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart DD	NSPS for Grain Elevators	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart EE	NSPS for Surface Coating of Metal Furniture	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart GG	NSPS for Stationary Gas Turbines	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart HH	NSPS for Lime Manufacturing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart KK	NSPS for Lead-Acid Battery Manufacturing Plant	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart LL	NSPS for Metallic Mineral Processing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart MM	NSPS for Automobile and Light Duty Truck Coating Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart NN	NSPS for Phosphate Rock Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart PP	NSPS for Ammonium Sulfate Manufacture	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart QQ	NSPS for Graphic Arts Industry: Publication Rotogravure Printing	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart RR	NSPS for Pressure Sensitive Tape and Label Surface Coating Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.

Citation	Title of Citation	Description of Inapplicability
40 CFR 60, Subpart SS	NSPS for Industrial Surface Coating: Large Appliances	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart TT	NSPS for Metal Coil Surface Coating	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart UU	NSPS for Asphalt Processing and Asphalt Roofing Manufacture	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart VV	NSPS for Equipment Leaks from Synthetic Organic Chemicals Manufacturing Industry	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart WW	NSPS for Beverage Can Surface Coating Industry	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart XX	NSPS for Bulk Gasoline Terminals	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart AAA	NSPS for New Residential Wood Heaters	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart BBB	NSPS for Rubber Tire Manufacturing Industry	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart DDD	NSPS for Polymer Manufacturing Industry	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart FFF	NSPS for Flexible Vinyl and Urethane Printing and Coating	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart GGG	NSPS for Equipment Leaks from Petroleum Refineries	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart HHH	NSPS for Synthetic Fiber Production Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart III	NSPS for Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart JJJ	NSPS for Petroleum Dry Cleaners	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart KKK	NSPS for Equipment Leaks from Onshore Natural Gas Processing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart LLL	NSPS for Onshore Natural Gas Processing	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart NNN	NSPS for Synthetic Organic Chemical	Facility does not contain emissions unit or belong to source category to which this

Citation	Title of Citation	Description of Inapplicability
	Manufacturing Industry Distillation Operation	regulation applies.
40 CFR 60, Subpart OOO	NSPS for Nonmetallic Mineral Processing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart PPP	NSPS for Wool Fiberglass Insulation Manufacturing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart QQQ	NSPS for Petroleum Refinery Wastewater Systems	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart RRR	NSPS for Synthetic Organic Chemical Manufacturing Industry Reactor Process	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart SSS	NSPS for Magnetic Tape Coating	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart TTT	NSPS for Plastic Parts for Business Machine Coatings	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart UUU	NSPS for Calciners and Dryers in Mineral Industries	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart VVV	NSPS for Polymeric Coating of Supporting Substrates Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 60, Subpart WWW	NSPS for Municipal Solid Waste Landfills	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart A	NESHAP-GENERAL	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart B	NESHAP for Underground Uranium Mines	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart C	NESHAP for Beryllium	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart D	NESHAP for Beryllium Rocket Motor Firing	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart E	NESHAP for Mercury	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart F	NESHAP for Vinyl Chloride	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart H	NESHAP for Emissions of Radionuclides	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart I	NESHAP for Facilities Licensed by the	Facility does not contain emissions unit or belong to source category to which this

Citation	Title of Citation	Description of Inapplicability
	Nuclear Regulatory Commission	regulation applies.
40 CFR 61, Subpart J	NESHAP for Equipment Leaks (Fugitive Emission Facilities) of Benzene	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart K	NESHAP for Emissions of Radionuclides from Elemental Phosphorus Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart L	NESHAP for Benzene Emissions from Coke Byproduct Recovery Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart M	NESHAP for Asbestos (including work practices)	This facility does not accept friable asbestos containing waste, therefore, it is not an active asbestos waste site as described in 40 CFR61.154
40 CFR 61, Subpart N	NESHAP for Inorganic Arsenic Emissions from Glass Manufacturing Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart O	NESHAP for Inorganic Arsenic from Primary Copper Smelters	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart P	NESHAP for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart Q	NESHAP for Radon from DOE Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart R	NESHAP for Radon from Phosphogypsum Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart T	NESHAP for Radon from Disposal of Uranium Mill Tailings	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart V	NESHAP for Equipment Leaks of VHAPs	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart W	NESHAP for Radon from Mine Tailings	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart Y	NESHAP for Benzene Emissions from Benzene Storage Vessels	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart BB	NESHAP for Benzene Emissions from Benzene Transfer Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 61, Subpart FF	NESHAP for Benzene Waste Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.



Citation	Title of Citation	Description of Inapplicability
40 CFR 62	State Plans for Designated Facilities and Pollutants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart B	Requirements in Control Technology Determinations for Major Facilities in Accordance With the Clean Air Act Sections 112 (j)	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart C	List of Hazardous Air Pollutants	Section does not contain source specific regulatory requirements.
40 CFR 63, Subpart D	Compliance Extensions for Early Reductions	Facility is not seeking a compliance extension from NESHAP standard.
40 CFR 63, Subpart E	Approval of State Plans and Delegation of Authorities	Section does not contain source specific regulatory requirements.
40 CFR 63, Subpart F	NESHAP for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart G	NESHAP for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart H	NESHAP for Organic Hazardous Air Pollutants for Equipment Leaks	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart I	NESHAP for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart L	NESHAP for Coke Oven Batteries	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart M	NESHAP for Dry Cleaning Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart N	NESHAP for Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart O	NESHAP for Ethylene Oxide Sterilization Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart Q	NESHAP for Industrial Process Cooling Towers	Facility does not contain emissions unit or belong to source category to which this regulation applies.

Citation	Title of Citation	Description of Inapplicability
40 CFR 63, Subpart R	NESHAP for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart T	National Emission Standards for Halogenated Solvent Cleaning	The Parts Cleaner does not use any solvent containing the chemicals specified in 40 CFR 63.460 (a)
40 CFR 63, Subpart W	NESHAP for Hazardous Air Pollution for Epoxy Resins Production and Non-Nylon Polyamides Production	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart X	NESHAPS for Secondary Lead Smelting	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart Y	NESHAP for Marine Tank Vessel Loading Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart CC	NESHAP for Petroleum Refineries	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart DD	NESHAP for Off-Site Waste and Recovery Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart EE	NESHAP for Magnetic Tape Manufacturing Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart GG	NESHAP for Aerospace Manufacturing and Rework Facilities	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart II	NESHAP for Shipbuilding and Repair (Surface Coating)	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart JJ	NESHAP for Wood Furniture Manufacturing Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart KK	NESHAP for Printing and Publishing Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart OO	NESHAP for Tanks-Level 1	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart PP	NESHAP for Containers	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart QQ	NESHAP for Surface Impoundments	Facility does not contain emissions unit or belong to source category to which this regulation applies.
40 CFR 63, Subpart RR	NESHAP for Individual Drain Systems	Facility does not contain emissions unit or belong to source category to which this regulation applies.

Citation	Title of Citation	Description of Inapplicability
40 CFR 63, Subpart VV	National Emission Standards for Oil-Water Separators and Organic-Water Separators	No other subpart of 40 CFR parts 60, 61, or 63 references the use of this subpart for the control of air emissions from the Oil/Water Separator.
40 CFR 69	Special Exemptions from Requirements of CAA	Facility not located in applicability area.
40 CFR 72	Acid Rain Program	The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act
40 CFR 73	Sulfur Dioxide Allowance System	The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act
40 CFR 75	Continuous Emission Monitoring	The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act
40 CFR 76	Acid Rain NOx Emission Program	The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act
40 CFR 77	Excess Emissions	The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act
40 CFR 78	Appeal Procedures for Acid Rain Program	The size and cogeneration operations of the Birchwood Power Facility make it a "qualifying facility" meaning a "qualifying small power production facility" within the meaning of 3(17)(C) of the Federal Power Act or a "qualifying cogeneration facility" within the meaning of 3(18)(B) of the Federal Power Act
40 CFR 82	Protection of Stratospheric Ozone	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-5	Synthesized Pharmaceutical Products Manufacturing Operations	Facility is not located in a VOC emissions control area and is therefore exempt from regulation.
Rule 4-6	Rubber Tire Manufacturing Operations	Facility is not located in a VOC emissions control area and is therefore exempt from regulation.
Rule 4-7	Incinerators	Facility does not contain emissions unit or belong to source category to which this

Citation	Title of Citation	Description of Inapplicability
		regulation applies.
Rule 4-9	Coke Ovens	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-10	Asphalt Concrete Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-11	Petroleum Refinery Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-12	Chemical Fertilizer Manufacturing Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-13	Kraft Pulp Mills	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-14	Sand and Gravel Processing Operations and Sand Quarrying and Processing Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-15	Coal Preparation Plants	According to DEQ Air Division Policy Statement No. 2-96 dated April 22, 1996, a coal preparation plant must have a thermal dryer to be subject to this regulation. The facility does not contain a coal thermal dryer and is therefore exempt from the regulation.
Rule 4-16	Portland Cement Plants	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-17	Woodworking Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-18	Primary and Secondary Metal Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-19	Lightweight Aggregate Process Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-20	Feed Manufacturing Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-21	Sulfuric Acid Production Units	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-22	Sulfur Recovery Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-23	Nitric Acid Production Units	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-24	Solvent Metal Cleaning Operations	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-25	Volatile Organic Compound Storage Tanks	Facility is not located in a VOC emissions control area and is exempt from regulation.

Citation	Title of Citation	Description of Inapplicability
Rule 4-26	Large Appliance Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-27	Magnet Wire Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-28	Automobile and Light Duty Truck Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-29	Can Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-30	Metal Coil Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-31	Paper and Fabric Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-32	Vinyl Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-33	Metal Furniture Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-34	Miscellaneous Metal Parts and Products Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-35	Flatwood Paneling Coating Application Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-36	Graphic Arts Printing Process	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-37	Petroleum Liquid Storage and Transfer Operations	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-38	Dry Cleaning Systems	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-39	Asphalt Paving Operations	Facility is not located in a VOC emissions control area and is exempt from regulation.
Rule 4-40	Open Burning	Facility does not contain emissions unit or belong to source category to which this regulation applies.
Rule 4-41	Mobile Sources	Section does not contain source specific requirements.
Rule 5-5	Environmental Protection Agency Standards of Performance for New Stationary Sources	This regulation does not contain any source specific requirements
Rule 5-6	Standards of Performance for Regulated Medical Waste Incinerators	Facility does not contain emissions unit or belong to source category to which this regulation applies.

Citation	Title of Citation	Description of Inapplicability
Rule 6-1	Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants	This regulation does not contain any source specific requirements.

Nothing in this permit shield shall alter the provisions of § 303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to § 10.1-1314 or § 10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to § 10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140)

## VIII. General Conditions

### A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-110 N)

### B. Permit Expiration

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.  
(9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

### C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
  - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
  - b. All deviations from permit requirements. For purposes of this permit, deviations

include, but are not limited to:

- (1) exceedance of emissions limitations or operational restrictions;
- (2) excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or
- (3) failure to meet monitoring, record-keeping, or reporting requirements contained in this permit.

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to § 114(a)(3) and § 504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)



#### **E. Permit Deviation Reporting**

The permittee shall notify the DEQ's FSO within two working days of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, the permittee shall provide a written statement explaining the problem, any corrective actions or preventive measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C, and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40, and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to general condition IX.C.2. of this permit.

(9 VAC 5-80-110 F.2, and 9 VAC 5-80-250)

#### **F. Failure/Malfunction Reporting**

In the event that any facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered notify the Director, Northern Virginia Regional Office by facsimile transmission, telephone, or telegraph of such failure or malfunction, and shall within fourteen days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall contact the Director, Northern Virginia Regional Office.

1. The emission units that have continuous monitors subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not subject to the 14 day written notification.
2. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 or 9 VAC 5-40-410 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the Board for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:
  - a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B 6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions.
  - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken, or preventative measures adopted;
  - c. The date and time identifying each period during which the continuous monitoring systems was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
  - d. When no excess emissions have occurred or the continuous monitoring systems have not been operative, repaired, or adjusted such information shall be stated in the report.

3. All malfunctions of emission units not subject to 9 VAC 5-40-50 C, and 9 VAC 5-50-50 C require written reports within fourteen days of the discovery of the malfunction.

(9 VAC 5-80-250, 9 VAC 5-40-50, 9 VAC 5-50-50, and 9 VAC 5-20-1800)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

#### **H. Duty to Comply**

The permittee shall comply with all terms and conditions of this permit. Any permit non-compliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

#### **I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

#### **J. Permit Action for Cause**

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated non-compliance does not stay any permit condition.  
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
  - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is the potential of, a resulting emissions increase;
  - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
  - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emission cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;

- d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
- e. Any change at the source, which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
- f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
- g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and by 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

#### **K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

#### **L. Duty to Submit Information**

- 1. The permittee shall furnish to the board, within a reasonable time, any information that the board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
- 2. Any document (including reports) required in a permit condition to be submitted to the board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

#### **M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H, 9 VAC 5-80-340 C.)

#### **N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited, to the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and

The prompt removal of spilled or traced dirt or other materials from paved streets and of dried sediments resulting from soil erosion.  
(9 VAC 5-40-90 or 9 VAC 5-50-90)

#### **O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.  
(9 VAC 5-50-20)

#### **P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80 Article 1.  
(9 VAC 5-80-110 J)

#### **Q. Inspection and Entry Requirements**

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.  
(9 VAC 5-80-110 K.2)

#### **R. Reopening For Cause**

The permit shall be reopened by the board if additional federal requirements become applicable to a major source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

#### **S. Permit Availability**

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.  
(9 VAC 5-80-150 E)

#### **T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

**U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for non-compliance with technology-based emission limitations if the conditions of paragraph 2 are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of the malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
  - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally, or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency, or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

**V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The board may suspend, under such conditions and for such period of time as the board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

**W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in

a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)

**X. Stratospheric Ozone Protection**

If the permittee handles or emits one or more Class I or II substance subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A - F)

**Y. Accidental Release Prevention**

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.  
(40 CFR Part 68)

**Z. Changes to Permits for Emissions Trading**

No permit revision shall be required, under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-110 I)

**AA. Violation of Ambient Air Quality Standard**

The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-20-180 I and Condition 37 of the 04/22/05 amended PSD permit)

**BB. Certification of Documents**

- A. The following documents submitted to the board shall be signed by a responsible official: (i) any emission statement, application, form, report, or compliance certification; (ii) any document required to be signed by any provision of the regulations of the board; or (iii) any other document containing emissions data or compliance information the owner wishes the board to consider in the administration of its air quality programs. A responsible official is defined as follows:
1. For a business entity, such as a corporation, association or cooperative, a responsible official is either:
    - a. The president, secretary, treasurer, or a vice president of the business entity in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the business entity; or
    - b. A duly authorized representative of such business entity if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either (i) the facilities employ more than 250 persons or have gross annual sales or expenditures

exceeding \$25 million (in second quarter 1980 dollars) or (ii) the authority to sign documents has been assigned or delegated to such representative in accordance with procedures of the business entity.

2. For a partnership or sole proprietorship, a responsible official is a general partner or the proprietor, respectively.
3. For a municipality, state, federal, or other public agency, a responsible official is either a principal executive officer or ranking elected official. A principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of the principal geographic unit of the agency.

B. Any person signing a document under subsection A above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- C. Subsection B shall be interpreted to mean that the signer must have some form of direction or supervision over the persons gathering the data and preparing the document (the preparers), although the signer need not personally nor directly supervise these activities. The signer need not be in the same line of authority as the preparers, or do the persons gathering the form need to be employees (e.g., outside contractors can be used). It is sufficient that the signer has authority to assure that the necessary actions are taken to prepare a complete and accurate document.

(9 VAC 5-20-230, Condition 36 of the 04/22/05 amended PSD Permit)

## **CC. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110 except subsection N shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

## **DD. NO<sub>x</sub> Budget Trading Program Requirements**

### **A. General Conditions**



1. A review of the air emission units included in this permit has determined that the equipment listed in the following table meets the definition of a NO<sub>x</sub> Budget Unit and falls subject to the NO<sub>x</sub> Budget emission limitations under 9 VAC 5-140-40 or for opt-in sources under 9 VAC 5-40-800. As by 9 VAC 5-140-200 A, for each NO<sub>x</sub> budget source required to have a federally enforceable permit, such a permit will include the NO<sub>x</sub> Budget permit to be administered by the permitting authority. This section represents the NO<sub>x</sub> Budget permit.  
(9 VAC 5-140-40)
2. The NO<sub>x</sub> Budget permit will be administered by the VADEQ under the authority of 9 VAC 5-80-360 et seq., Article 3, and 9 VAC 5-140-10 et-seq.  
(9 VAC 5-140-200 A)
3. The following emission unit has been determined to meet the applicability requirements as provided in 9 VAC 5-140-40 A.1 and A.2. Units that do not meet this definition, are not defined as 25-Ton Exemption Units and are not permanently shut down can be included in the NO<sub>x</sub> Budget Trading Program as "opt-in" air emission sources.  
(9 VAC 5-140-40 A)

Facility Unit ID	Unit NATS Code	Unit Name and Description	Maximum Heat Capacity (in MMBtu/hr)	Maximum Generation Capacity (megawatts)
1		ABB-CE Systems pulverized coal wet bottom, tangentially fired boiler	2300	260 gross 240 net

4. This NO<sub>x</sub> Budget Trading Program permit will become effective on May 31, 2004.  
(9 VAC 5-140-240.1)